

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Robert E. Burgmeier, Richard Goodin, Joseph Delaney Jr.
Application No.:	10/822581
Filed:	April 12, 2004
For:	Adhesion Technique for Incompatible Polymers Using Modified Polymer Tie Layers
Group Art Unit:	1794

Mail Stop _____
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Docket No.: S63.2B-10865-US01

Mail Stop Petition
Fax: (703) 308-6916

PETITION TO WITH DRAW FROM ISSUANCE 37 CFR 1.313 (c)

A Notice of Allowance for the above-identified file was mailed on December 10, 2008 and a Supplemental Notice of Allowability was mailed on December 12, 2008. Applicants paid the issue fee on March 10, 2009.

A decision to grant for the corresponding EP Patent No. 1 740 378 was mailed on May 6, 2008.

An opposition was filed on January 21, 2009.

Applicants, after further studying the opposition documents, have now become aware that several of the references cited in the opposition were not submitted in an Information Disclosure Statement nor cited during US Prosecution: US 6,386,240; US 5,082,742, US 4,876,130 and recent web-site showing the book "Reactive Extrusion Systems" of Janssen and Janssen with publication date and a small description of its contents.

An Information Disclosure Statement including all the opposition documents not all ready of record, is being filed concurrently herewith.

Applicants request that the above-identified application be withdrawn from issue for consideration of these references. A request for continued examination in compliance with §1.114 is being filed concurrently herewith.

The petition fee under 37 CER § 1.17(h) accompanies this petition.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: March 27, 2009

By: /Walter J Steinkraus/
Walter J. Steinkraus
Registration No.: 29592

6640 Shady Oak Rd., Suite 400
Eden Prairie, MN 55344-7834
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

f:\wpwork\lrl\10865us01_pet_20090325.doc